

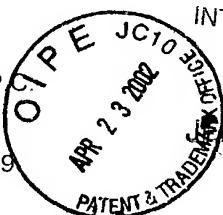


UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/076,795 | 02/12/2002 | David A. Norman | 50097-8USPT |

Jenkins & Gilchrist, P.C.
3200 Fountain Place
1445 Ross Avenue
Dallas, TX 75202-2799



INTELLECTUAL PROPERTY

APR 08 2002

JENKINS & GILCHRIST

CONFIRMATION NO. 3663
FORMALITIES LETTER



OC000000007765231

Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

RECEIVED
APR 26 2002
OFFICE OF PETITIONS

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

04/26/2002 GTEFFERA 00000055 10076795

01 FC:105

130.00 OP

65.00 OP

Int: 110 DT: 4-8-02

Action: Missing parts due 6-2-2002 Date: 05/23/2002

01 FC:205

Repln. Ref: 05/23/2002 HMOHAM1 0013411900
Name/Number: 10076795
DIA:100447
FC: 70

A copy of this notice MUST be returned with the reply.

Adjustment date: 05/23/2002 HMOHAM1
04/26/2002 GTEFFERA 00000055 10076795
01 FC:105 *W. Johnson* -130.00 OP

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART I - ATTORNEY/APPLICANT COPY



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Paper No. 6

GARY B. SOLOMON
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MAY 03 2002

OFFICE OF PETITIONS

In re Application of :
David A. Norman :
Application No. 10/076,795 :
Filed: February 12, 2002 :
Attorney Docket No. 50097-00008USPT :
:

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to the Initial Patent Examination Unit.



Irvin Dingle
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

PATENT APPLICATION

3 6 0 3 2 6 3 2 3 5 0 4 2 3 2 0 2

Docket No. 50097-00008USPT

| Filing Fee | Small Entity Fee Paid | Then-Current Large Entity Fee Due | Amount Owed (Difference) |
|--------------------------------------|-----------------------|-----------------------------------|--------------------------|
| Filing fee | \$370 | \$740 | \$370 |
| Total Claims (Extra - 25) | 225 | 450 | 225 |
| Total Independent Claims (Extra - 5) | 42 | 84 | 210 |
| Petition Fee | | | 130 |
| | | Total Amount Due: | \$935 |

Check in the amount of \$935.00 (for deficiency) are enclosed herewith.

Applicant respectfully requests that this Petition to Excuse Error be granted.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit of any over payment or underpayment to Deposit Account No. 10-0447. This sheet is attached in duplicate.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.



Gary B. Solomon
Registration No. 44,347

Date: April 17, 2002

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